

Sea Fisheries (Ireland) Bill.

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[Bill 101.]

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General

Clause.

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31. Offences committed on Sea Coast where to be tried.
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33. Commissioners to be Commissioners of Inland as well as Sea Fisheries.

SCHEDULE.



A

B I L L

TO

Amend the Laws relative to the Coast and Deep Sea Fisheries of Ireland.

WHEREAS it is expedient to amend the Laws relating to the Sea Fisheries of Ireland: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited for all Purposes as "The Sea Fisheries (Ireland) Act, 1868."

2. This Act shall not come into operation until the First Day of October One thousand eight hundred and sixty-eight.

Central Authority.

3. The Appointment of all Officers and all Direction and Control of the Fisheries in Ireland shall be for the future vested in the Lord Lieutenant, and it shall be lawful for the Lord Lieutenant to appoint Three Commissioners of Fisheries, One of whom shall be a Civil Engineer of at least Seven Years standing, and as many other

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Officers

Lord Lieutenant may remove Commissioners, &c.

Officers as may be necessary for carrying this Act into execution, and to remove the Commissioners, Secretary, or other Officer, or any One or more of them, and to appoint another or others in the Room of the Person or Persons so removed or dying or resigning, and to pay to such Commissioners, Inspectors, Clerk, or other Officer 5 respectively, out of such Monies as may be provided by Parliament for the Purpose, such Sums by way of annual Salaries as the Commissioners of Her Majesty's Treasury shall think fit; and the Commissioners shall have equal and co-ordinate Powers, Authorities, and Privileges, so far as regards the carrying into execution the 10 Provisions of this Act; and all such Powers, Authorities, and Privileges shall and may be exercised by any One or more of them.

Appointment and Duties of Inspectors.

4. That such Inspectors be appointed as may be found necessary to encourage the Fisheries, to give Information to Fishermen, to procure Statistics of the Fisheries, to see the Law carried out, 15 to settle Disputes between Fishermen, to suggest Improvements, to report on the State of Piers and Harbours, and entertain Applications for Loans.

Commissioners, &c. empowered to enforce Provisions of this Act.
5 & 6 Vict.
c. 104. s. 89.

5. It shall be lawful for the Commissioners, Inspectors, or other Officers appointed for the Purposes of this Act, to use and exercise 20 all Powers and Authorities for enforcing the Provisions of this Act conferred by this Act upon Water Bailiffs.

Powers of Commissioners.

6. The Commissioners, or any One of them, may examine any Witnesses on Oath, and with respect to enforcing the Attendance of Witnesses, and the Production of Deeds, Books, Papers, and 25 Documents, shall have the same Powers as Justices of the Peace have for such or the like Purposes; moreover it shall be lawful for the Commissioners, or any One of them, to order any Person to be removed from their Court who may interrupt the Business of the Court or refuse to obey their lawful Orders in respect of the same; 30 and it shall be the Duty of the Chief Constable, Commissioner, or Chief Officer of Police of the County, City, Borough, or Place in which the Court is held to take care that an Officer of Police do attend that Court during its Sitting for the Purpose of keeping Order therein, and to carry into effect any such Order of the 35 Commissioners or Commissioner as aforesaid.

Commissioners to report annually.
5 & 6 Vict.
c. 104. s. 112.

7. The Lord Lieutenant shall, on or before the last Day of March in every Year, lay before Parliament Reports from the Commissioners, which Reports shall contain, as far as may be practicable, a Statistical Account of the Fisheries, arranged and classified under 40 such different Heads as may appear to the said Commissioners to be most

most suited and adapted for the Purpose, or as may from Time to Time be directed by the said Lord Lieutenant or other Chief Governor or Governors.

8. For the Purpose of facilitating the registering of Vessels and Boats engaged in the Sea and Tideway Fisheries of Ireland, the Commissioners shall divide the Coast of Ireland into such and so many Districts or Divisions, to be designated by such Names, Marks, or Letters as they shall deem fit, and shall and may, if they shall think fit, from Time to Time alter such Districts, Divisions, and Designations, and such Districts, Divisions, and Designations, or Alterations thereof as aforesaid, shall be published by the Commissioners in such Manner as they may direct, and shall also be recorded in the Office of the Commissioners.

The Coasts of Ireland to be divided into Districts for the Purposes of this Act.

5 & 6 Vict. c. 106. s. 15.

9. At such of the Coast Guard Stations within such Districts or Divisions respectively as the Commissioners shall appoint, subject to the Consent and Approbation of the Lords Commissioners of the Admiralty, there shall be kept in a Book or Books, to be provided for that Purpose, a Registry of all Vessels, Boats, Cots, or Currachs engaged in fishing, and belonging to Places within the District or Division in which such Coast Guard Station may be situate, together with the Names of the Owners of such Vessels, and of the Ports of which the same may respectively belong, and the Number of Men usually employed in each such Vessel, Boat, Cot, or Currach; and the Owners of such Vessels, Boats, Cots, or Currachs are hereby required to have registered accordingly their Names, and the Names of their Vessels, and the Ports to which they severally belong, and the Number of their Men; and the Owner of each Vessel, Boat, Cot, or Currach shall be furnished by the registering Officer for the Time being with a Certificate of such Registry signed by him, and pay such Sum as the Commissioners may direct, not exceeding the Sum of One Shilling for each such Certificate; and such Certificate, or a Copy thereof obtained from such registering Officer, shall be conclusive Evidence of such Registration; and the Number and Mark or Letter which shall be assigned to each Vessel, Boat, Cot, or Currach by the registering Officer, together with the Names of the Vessel, of the Owner, or some One of the Owners, where more than One, and of the Port to which such Vessel, Boat, Cot, or Currach belongs, shall be painted on the Stern of such Vessel, Boat, Cot, or Currach; and such Number and Mark or Letter shall be also painted on the Sails and Bows or Quarters, and on the Buoys attached to the Nets used with such Vessel, Boat, Cot, or Currach, or on small Boards permanently attached to such Nets for the Purpose, in such Manner and in Figures of such Dimensions as the

Fishing Vessels on the Coast of Ireland to be registered and marked, &c.

5 & 6 Vict. c. 106. s. 16.

Commis-

[101.]

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Penalty for
using Ves-
sels not re-
gistered.

Commissioners shall direct; and if any Vessel, Boat, Cot, or Curragh shall be used for fishing on any Part of the Coast of Ireland, or within any Estuary thereof, at any Time after the *First Day of October One thousand eight hundred and sixty-eight*, which Vessel, Boat, Cot, or Curragh shall not have been so duly registered as aforesaid, or on the Stern whereof the Name of such Vessel, Boat, Cot, or Curragh, that of the Owner or One of the Owners, and of the Port to which such Vessel, Boat, Cot, or Curragh may belong, shall not be so painted, and on the Sails, Bows, or Quarters, and Buoys and small Boards attached to the Nets whereof, such Number and Mark or Letter shall not be so painted, the Owner, Master, or chief Officer of such Vessel, Boat, Cot, or Curragh so used shall for every such Offence forfeit and pay a Sum not exceeding *Ten Pounds*: Provided always, that when any such Vessel shall not be permanently engaged in fishing, the Number and Mark or Letter may be temporarily attached to the Sails, Bows, and Quarters of such Vessel, in such Manner and for such Time as shall be permitted by the Commissioners; and provided also, that Vessels belonging to Places out of Ireland may, for the Purposes of this Act, be registered at the Coast Guard Station of any District or Division within or adjoining which such Vessel shall be engaged in fishing for the Time being, the Owner, Master, or chief Officer of any such Vessel being subject nevertheless in both last-mentioned Cases to forfeit and pay a Sum not exceeding *Ten Pounds* if he shall neglect to comply with the Provisions aforesaid; and any Officer or Men of the Coast Guard is or are hereby authorized to seize and detain in his Custody all Boats, Vessels, &c. not registered and marked as herein directed; and such Boats or Vessels so seized may be restored to the Owner on the Penalties and Costs incurred being paid.

Agreements between Owners of Vessels, &c. and Crews.

Commis-
sioners to
make Regu-
lations as to
voluntary
Agreements.

10. The Commissioners shall frame Regulations, subject to the Approval of the Lord Lieutenant, as to the Forms of voluntary Agreements between the Owners of Fishing Vessels, Boats, and Crews, as to the Period and Nature of Service, and Remuneration.

Forms of
Agreement
to be pro-
vided, and
Agreements
to be binding.

11. Forms of Agreement in conformity with same to be provided by the Commissioners, and to be procurable at every Coast Guard Station, on Payment of a Fee of *One Penny*; such Agreements, when duly signed in the Presence of Two Witnesses, to be binding on the contracting Parties, whether the Agreement be based on Share of Profit or otherwise; and in case of the Proof of the Breach of such Contract it shall be lawful, on Conviction at Petit Sessions, for the Magistrate or Magistrates to award to the Party aggrieved such Damages, with Costs, as shall seem fit.

Repeal

Repeal of Byelaws imposing Restrictions on Modes of Fishing.

12. On the First of August One thousand eight hundred and sixty-nine all Byelaws relating to the Sea Coast Fisheries (except those relating to Oysters) shall be repealed and abolished; but it shall be lawful for the Commissioners, at any Time after the last-mentioned Day, to make Inquiry into the Expediency and Necessity of renewing or reviving any of such Byelaws. If on such Inquiry they should be satisfied of such Expediency or Necessity, it shall be lawful for them, subject to the Approval of the Lord Lieutenant in Council, and an Appeal to him in Council, to revive any of such Byelaws, and to make such further Byelaws as they may deem expedient.

Repeal of Byelaws.

Regulations as to Trawl and Drift Nets, and Recovery of Fishing Boats and Gear picked up at Sea.

13. The Commissioners, after a local Inquiry, and subject to an Appeal to the Lord Lieutenant in Council, may, if they think fit, make Byelaws for the following Purposes:

Regulations as to Trawl, Drift, and other Nets.

(1.) To regulate the Distance at which Trawl Boats shall keep from Boats fishing for Herrings or Mackerel with Drift Nets:

(2.) To prevent wanton Injury to Long-line Fishing Gear:

(3.) To cause Long-line Fishers to buoy or mark their Gear in such Manner as to be easily discernible:

(4.) And to regulate the Form of Nets and the Size of Meshes:

(5.) All Fishing Boats, all Rigging, Gear, or other Appurtenances of Fishing Boats, all Nets, Buoys, Floats, or other Fishing Implements whatsoever, found or picked up at Sea, shall, as soon as possible, be delivered at the nearest Coast Guard Station, and any Person acting in contravention of this Section shall incur a Penalty not exceeding Ten Pounds.

Oyster Fisheries.

14. All the present Powers with regard to Oyster Fisheries vested in the Board of Works shall on the passing of this Act be vested in the Commissioners to be appointed under it.

Transfer of Powers from Board of Works to Commissioners.

15. It shall be lawful for the Owner or Occupier of any Land bordering on the Sea or any Estuary, with the Permission in Writing of the Commissioners, or for any Person or Persons, with the Consent in Writing of such Owner or Occupier, and with the Permission in Writing of the Commissioners, and approved by the Lord Lieutenant or other Chief Governor, to form or plant any Oyster Bed or Laying on the Shore adjacent to such Lands, and between High-water and Low-water Mark, and above or below the Level of the lowest Water Mark of Spring Tides, or for any Person or Persons, without such Consent as aforesaid, and with the Permis-

Power to make Oyster Beds. 8 & 9 Vict. c. 108. s. 17. and 13 & 14 Vict. c. 88. s. 41.

sion of the Commissioners, to form or plant any Oyster Bed below Low-water Mark, as the said Commissioners shall think fit, subject to the Approval of and Appeal to the Lord Lieutenant in Council; and it shall be lawful for the several Persons forming or planting any such Oyster Bed or Laying to hold the same as private Property, and to exercise an exclusive Control over the same, and such Oyster Beds shall be entitled to the like Protection as is provided in case of any other Oyster Beds or Layings being the exclusive Property of any Person: Provided always, that any such Permission as last aforesaid shall be lodged with the Clerk of the Peace of the County in which such Oyster Beds or Layings shall be situate, and in all Cases where it shall hereafter become necessary to prove any such Permission of the said Commissioners in any Court of Law or Justice or elsewhere, a Copy obtained from the Office of any such Clerk of the Peace with whom the same may be lodged, and certified by him to be a true Copy thereof, shall be received and taken as full and sufficient Evidence of the Existence of any such Permission, and which Copy such Clerk of the Peace is hereby required to furnish at the Price of *Sixpence* for each Copy so furnished and certified: Provided always, that the forming and planting of such Oyster Beds as aforesaid shall not give any exclusive Right or Title to the Occupancy of the said Shore, except for the Purpose aforesaid, or to the Appropriation of any public Banks or Beds at present resorted to for Oysters, but that the Rights herein-before granted and conferred are to be considered as exclusively applying to Places where no public Oyster Beds at present exist; saving to the Queen's most Excellent Majesty, and all the Subjects of this Realm, the free and full Exercise and Enjoyment of all other Rights of fishing or other Rights whatsoever in or along the said Shore; and provided also, that in case of any such Permission being granted to any Occupier of any Land bordering on the Sea or any Estuary as aforesaid, or to any Person with his Consent, or to any other Person, such Permission shall only continue and be in force during the Continuance of such Occupancy, or the legal Transfer of same to any other Person, which shall be duly noticed to the Commissioners, and such Transfer recorded in the Office of the Clerk of the Peace; and in the Case of any Permission being granted to any Person with the Consent of any Owner, such Permission to plant Oyster Beds shall only continue and be in force for such Period as shall be named in the Consent of such Owner.

General Provisions.

Fishermen,
 &c. may use
 Waste
 Shores for

16. It shall be lawful for all Fishermen and Persons employed by them to enter upon all such Beaches, Strands, and Wastes on or adjoining the Sea Shore or any Estuary, as may be necessary for the Purpose

Purpose of carrying on any Herring or other Sea Fishing, and also to draw up and spread their Nets and land their Fish upon any such Beach, Strand, or Waste; provided nevertheless, that they shall not erect any Fixtures or Fixed Nets thereon.

17. It shall be lawful for all Watchmen, Directors, and Guiders of Fishermen, and all such Fishermen themselves, and such other Persons as shall necessarily attend the Nets or Fishings at the Times of fishing for Herrings, Pilehards, and other Sea Fish, to enter and go into and upon any Lands which lie or adjoin near unto any Fishing Place, fit, convenient, and necessary to watch and to draw or carry the Fish on shore, and there to watch for the said Fish, and to direct and guide the said Fishermen which shall be upon the Sea and Sea Coasts for the taking of the said Fish; provided that no Person shall be empowered or authorized by this Act to enter in or upon any enclosed Garden, or any Tillage Land with a growing Crop thereon.

the Purposes of Fishing.
5 & 6 Vict.
c. 106. s. 3.

Provisions as to watching for Fish.
5 & 6 Vict.
c. 106. s. 4.

18. If any Person shall resist or forcibly obstruct any Fisherman, or Person employed by him, in entering upon or using for the Purposes aforesaid the said Beaches, Strands, Wastes, and other Lands (save Gardens and Lands with a growing Crop as aforesaid), every Person so offending for every such Offence shall forfeit and pay any Sum not exceeding *Five Pounds*.

Penalty on Persons resisting or obstructing Fishermen in using Waste Shores.
5 & 6 Vict.
c. 106. s. 5.

19. If any Person shall resist or obstruct any Persons lawfully engaged in fishing, or in proceeding to fish, or in returning from fishing, or shall wilfully and maliciously place any Net or other Engine, or Obstruction of any Kind, with the Intent and Design to prevent Fish from entering the Nets of other Persons set or placed in a legal Manner, or shall beat or disturb the Water, or in any other Manner act with the Intent and Design unlawfully to prevent Fish from being taken by any Person in a legal Manner, or shall wilfully and maliciously injure or destroy the Net or Boat of any Person, every Person so offending shall for every such Offence forfeit and pay any Sum not less than *Five Pounds* and not exceeding *Twenty Pounds*, and shall also pay Compensation for any Net or Boat so injured or destroyed; and every such Net or other Engine or Obstruction so placed as aforesaid shall also be forfeited.

Penalty on Persons assaulting or obstructing any Person fishing in a legal Manner.
5 & 6 Vict.
c. 106. s. 28.
and 6 & 7
Vict. c. 79.
s. 11.

20. It shall and may be lawful for all Officers and Petty Officers and Men belonging to the Cruisers of Her Majesty's Navy, and for all Officers and Men of the Coast Guard, and for all Officers and Men of the Constabulary, anything in any Act of Parliament to the contrary notwithstanding, at all Times and in all Places, and subject

Officers and Men of Her Majesty's Cruisers, and Officers and Men of Coast Guard Ser-

vice, em-
powered to
enforce Pro-
visions of
this Act.
5 & 6 Vict.
c. 106, s. 86,
and 7 & 8
Vict. c. 108,
s. 2.

Officers and
Men of the
Coast Guard
empowered
to act as
Constables.

to such Directions and Regulations as the Lords Commissioners of the Admiralty, or the Inspector General of Constabulary, shall from Time to Time think fit to prescribe, to go on board any Vessel employed in fishing, and examine the Certificate of Registry and Nets of such Vessel, and whether the Regulations of this Act have 5 been complied with, and whether the Master and other Persons on board such Vessel are carrying on the said Fishery in the Manner hereby required, and to seize any illegal Nets or Engines, or Boats, Nets, or Engines used contrary to the Provisions of this Act, or any of the Orders, Regulations, or Byelaws made by the said Inspectors; 10 and it shall be lawful for the Officers and Men employed in the Coast Guard Service in Ireland, or of the Constabulary Force, to execute, for the Purposes of this Act, on Sea or on Land, the Warrants of any Justice or Justices, as fully and effectually as any Person or Persons authorized and empowered to execute Warrants 15 of any Justice or Justices in Ireland may now execute the same on Land within their respective Districts, and also to do all such other Acts on Sea or Land in relation to the Preservation of the Peace among Persons engaged in fishing, and the Enforcement of the Provisions of this Act, as any Water Bailiff or Constable may law- 20 fully do within his Jurisdiction, and to have all the Powers, Privileges, and Authorities as are conferred on Water Bailiffs.

Offenders
may be ap-
prehended if
they refuse
to tell their
Names.
5 & 6 Vict.
c. 106, s. 87.

21. When any Person shall be found at Sea, or on Rivers, Lakes, or other Waters, or on Land, offending against any of the Provisions of this Act, or of any Byelaw, Order, or Regulation of the Com- 25 missioners, by the Use of any illegal Net, Engine, or Device whatsoever for the taking of Fish, or by the Use of any Net, Engine, or Device prohibited at that Time, or in any other Manner, it shall be lawful for any Officer or Person empowered to enforce the Provisions of this Act, or for any Person interested in the Fishery in which 30 such illegal Act may be committed, to require the Person so found offending forthwith to desist from such Offence, and also to tell his Christian Name, Surname, and Place of Abode; and in case such Person shall, after being so required, refuse to tell his real Name or Place of Abode, or shall give such a general Description of his Place 35 of Abode as shall be illusory for the Purpose of Discovery, or shall wilfully continue such Offence, it shall be lawful for the Officer or Person so requiring as aforesaid, and also for any Person acting by his Order and in his Aid, to apprehend such Offender, and to convoy him, or cause him to be conveyed, as soon as conveniently may be, 40 before a Justice of the Peace, to be dealt with according to Law: Provided always, that no Person so apprehended shall on any Pre- tence whatsoever be detained for a longer Period than *Twenty-four Hours* from the Time of his Apprehension before he shall be brought before

before some Justice of the Peace; and that if he cannot, on account of the Absence or Distance of the Residence of any such Justice of the Peace, or owing to any other reasonable Cause, be brought before a Justice of the Peace within such *Twenty-four Hours* as aforesaid, then the Person so apprehended shall be discharged, but may nevertheless be proceeded against for his Offence by Summons or Warrant, as if no such Apprehension had taken place.

22. Where any Persons, to the Number of Three or more together, shall be found by any Officer or Men of Her Majesty's Navy, or of the Coast Guard, or Constabulary, or any Water Bailiff or Peace Officer, by Violence, Intimidation, or Menace, impeding or obstructing, or attempting to impede or obstruct, any other Person or Persons in the lawful Prosecution of any Fishery, it shall be lawful for such Officer of the Navy or Coast Guard, or Constabulary Force, or Water Bailiff, and also for any Person acting by his Order or in his Aid, to apprehend such Offenders, and to convey them before a Justice of Peace, to be dealt with according to Law; and every Person so offending by such Violence, Intimidation, or Menace as aforesaid, and every Person then and there aiding or abetting such Offender, shall, upon being convicted thereof, forfeit and pay for every such Offence such Penalty, not exceeding *Twenty Pounds*, as to the convicting Justice shall seem meet, together with the Costs of the Conviction, which said Penalty shall be in addition to and independent of any other Penalty to which any such Person may be liable for any other Offence against this Act.

Penalty on Persons using Violence.
5 & 6 Vict. c. 106. s. 88.

Water Bailiffs.

23. Every Water Bailiff shall be empowered to exercise the Powers and Authorities of a Constable for the Enforcement of the Provisions of this Act, or any Byelaw made by the Commissioners, and shall be at liberty at all Times to enter any Boat or Vessel engaged in fishing, and to examine all Nets, and to seize all Engines used contrary to the Provisions of this Act, or to any Byelaw or Order made by the Inspectors, and to examine the Certificate of Registry of any Vessel employed in fishing, and the Production of his Warrant of Appointment shall be sufficient Authority for such Water Bailiff acting.

Powers of Water Bailiffs.

24. If any Person shall assault, resist, or obstruct any of the Inspectors or other Officers, or any Person acting by their Authority, or any Water Bailiff, or any Person acting under them or any of them, in the Execution of any of the Powers conferred on him or them by this Act, or by any Rule, Order, or Byelaw to be made in pursuance of this Act, every Person so offending shall

Penalty on opposing or assaulting Inspectors, Conservators, &c. or Persons authorized by them in

Execution of for every such Offence forfeit and pay any Sum not exceeding Ten
 this Act. Pounds.
 5 & 6 Vict.
 c. 105. s. 90.

Loans for the Encouragement of Fisheries.

Commis-
 sioners
 may advance
 Money for
 building, &c.
 Piers, &c.

25. The Commissioners may advance Loans for the following
 Purposes :

- (1.) To any Person who shall produce such Security for the
 Repayment of such Money as he may propose to borrow
 as may be satisfactory to the Commissioners, for the building
 of Piers, cleaning or dredging of Harbours, Erection of
 Curing Houses or Sheds for the Purpose of curing or 10
 drying Fish, on the Certificate of the Inspectors that such
 Work is necessary and important :
- (2.) To any Person who shall produce such Security for the
 Repayment of such Money as he may propose to borrow
 as may be satisfactory to the Commissioners for the 15
 building and repairing of Vessels and Boats or the Purchase
 of Fishing Gear, or such other Purpose as the Commis-
 sioners may certify under their Hands to be expedient
 for the Promotion of the Fisheries; but the Discharge of
 Loans for the Purposes mentioned in this last Paragraph 20
 of this Section shall only be made by Repayments ex-
 tending over a Period of not more than Ten Years.

*Incorporation of Acts relating to the building and making of
 Piers and Harbours.*

All Acts
 relating to
 building, &c.
 of Piers in-
 corporated
 with this
 Act.

26. All Acts relating to the building, making, or Improvement 25
 of Piers and Harbours shall be incorporated with this Act; and
 after the passing of this Act any Works to be undertaken or carried
 out thereunder shall be undertaken and carried out by the Com-
 missioners appointed under this Act, and Grand Juries may make
 their Contributions for such Works in the same Manner as they 30
 may make Advances under the Act of this Session, intituled "An
 " Act to afford Facilities for the Erection of certain Bridges in
 " Ireland."

Legal Proceedings.

Recovery of
 Penalties.
 24 & 25 Vict.
 c. 105. s. 35.
 and 11 & 12
 Vict. c. 98.
 s. 35.

27. All Fines and Penalties imposed by this Act, and all Costs 35
 or Expenses by this Act directed to be recovered, may, unless other-
 wise specially provided, be recovered in a summary Manner within
 Six Months after the Commission of the Offence, in manner directed
 by an Act passed in the Fifteenth Year of the Reign of Her Majesty
 Queen Victoria, Chapter Ninety-three, intituled "The Petty Sessions 40
 (Ireland) Act, 1851," or any Act amending the same; and all Monies
 received

received in respect of Fines and Penalties recovered under the Act shall be paid as follows; (that is to say,)

One Third to the Person on whose Complaint the Fine or Penalty is recovered, and the Remainder to the Crown.

- 5 28. If any Person shall think himself aggrieved by any Judgment, Order, or Conviction of any Justice or Justices of the Peace, whatever may be the Amount of the Fine, Penalty, or Sum of Money ordered to be paid, or the Term of the Imprisonment imposed, such Person may appeal to the Quarter Sessions, in conformity with the Provisions of the Petty Sessions (Ireland) Act, 1851.

Appeal from
Convictions
to Quarter
Sessions.
5 & 6 Vict.
c. 106. s. 59.

29. And if any Person prosecuting shall think himself aggrieved by any Order of Dismissal, it shall and may be lawful for such Person to appeal to such Sessions, as directed in the Petty Sessions (Ireland) Act, 1851, with regard to Appeals from any Conviction, upon giving like Notice, and entering into a Recognizance, with Two sufficient Sureties, before any Magistrate, in any Sum not less than Ten Pounds, conditioned for the Payment of all such Costs and Expenses as shall be adjudged against him on the Hearing of such Appeal.

Appeal
against Dis-
missal.
5 & 6 Vict.
c. 106. s. 100.

30. In case any Officer or Person hereby authorized and empowered to seize illegal Nets or Engines, or Nets or Engines of a legal Form and Size when used contrary to the Provisions of this Act, shall seize the same, it shall and may be lawful for him to retain the same in his Custody until the next Sitting of the Petty Sessions Court, or any Adjournment thereof, in the Petty Sessions District where the same shall be seized, and at such Petty Sessions Court it shall and may be lawful for the Justices to order and direct the same to be forfeited, and in case the same shall be such as cannot be legally used under the Provisions of this Act, to order the same to be destroyed, and in case the same shall be such as may be legally used under the Provisions of this Act, then and in such Case it shall be lawful for such Justices to order the same to be sold, or otherwise disposed of as such Justice shall direct, and the Money arising therefrom, if sold, to be applied in the same Manner as the Penalties imposed for Violation of the Provisions of this Act are hereby directed to be applied.

Illegal Nets
shall be
brought
before Ma-
gistrates at
Petty Ses-
sions, and
destroyed ;

and legal
Nets, when
used ille-
gally, shall,
upon being
forfeited, be
sold.

See 5 & 6
Vict. c. 106.
s. 103, and
1 G. 1.
stat. 2. c. 18.
ss. 6, 14.
18 G. 3. c. 33.
s. 4.

31. Any Offence committed under this Act, on the Sea Coast or at Sea, beyond the ordinary Jurisdiction of any Justice of the Peace, shall be deemed to have been committed within the Body of any County

Offences
committed
on Sea
Coast where
to be tried.

24 & 25 Vict. c. 109. s. 37. County abutting on such Sea Coast or adjoining such Sea, and may be tried and punished accordingly.

26 & 27 Vict. c. 114. incorporated with this Act. 32. The Act Twenty-six and Twenty-seven Victoria, Chapter One hundred and fourteen, and any Acts extending the same, shall be incorporated with this Act, and be construed as One Act. 5

Commissioners to be Commissioners of Inland as well as Sea Fisheries. 33. The Chief and other Commissioners of Fisheries to be appointed under this Act shall be Commissioners for executing the Laws affecting both the Inland and Sea Fisheries in Ireland, and all Powers now vested in the Board of Works with regard to the Fisheries shall be transferred to them. 10

SCHEDULE to which the foregoing Act refers.

FORM OF WARRANT for a WATER BAILIFF.

[Stamp.]

I *A.B.* [or we *A.B.* and *C.D.*, as the Case may be,]

- 5 [name the Place or Places of Residence], do hereby appoint *D.E.*
 of [name the Place of his Residence] a Water Bailiff,
 to protect the Oyster Fishery of [name the Fishery],
 pursuant to the Act of Victoria, Chapter ,
 intituled ;
 10 and the said *D.E.* of [name the Place of his
Residence] is hereby authorized to do all lawful Acts as such Water
 Bailiff, according to the Provisions of the said Act.

(Signed) *A.B.*

To all to whom it may concern.

- 15 *Form of Approval of Appointment of Water Bailiff.*

- We, the undersigned Magistrates assembled in Petty Sessions at
 this Day of , A.D. 18 ,
 do hereby approve of the above Appointment of
 as Water Bailiff for the said Oyster Fishery [name the Fishery]. In
 20 witness whereof we hereunto subscribe our Names.

A.B. J.P.*C.D.* J.P.

A

B I L L

To amend the Laws relative to the Coast
and Deep Sea Fisheries of Ireland.

*(Proposed and brought in by
Mr. John, Colonel, Secretary, Lord Chief Justice
Manning, and Mr. Mansfield.)*

Ordered, by The House of Commons, to be Printed,
the 4th April 1785.

[Vol. 18.]

Enter 2 on.